



Economic Impact Analysis Virginia Department of Planning and Budget

18 VAC 60-20 – Regulations Governing the Practice of Dentistry and Dental Hygiene
Department of Health Professions
October 12, 2007

Summary of the Proposed Amendments to Regulation

The Board of Dentistry (Board) proposes to amend its Regulations Governing the Practice of Dentistry and Dental Hygiene to clarify that scaling and root planing procedures, whether performed jointly or separately, may only be performed by a dentist or delegated to a dental hygienist under supervision. The Board is proposing this change in response to a petition for rulemaking.

Result of Analysis

The benefits likely exceed the costs for all proposed changes.

Estimated Economic Impact

The Board's Regulations Governing the Practice of Dentistry and Dental Hygiene delimit the duties that dentists may delegate only to dental hygienists (and not other dental office staff). Among these enumerated duties is the "scaling **and** root planing of natural or restored teeth using hand instruments, rotary instruments and ultrasonic devices". The Board proposes to clarify this portion of the regulations so that it allows dental hygienists to perform "scaling **and/or** root planing of natural or restored teeth using hand instruments, rotary instruments and ultrasonic devices" Because these procedures already must be performed by a dentist or dental hygienist, dental practice is unlikely to change because of this clarification. Accordingly, affected entities are unlikely to incur any costs on account of this regulatory change. To the extent that current rules seemed opaque to any interested party, these amendments should provide the benefit of clarity.

Businesses and Entities Affected

The Department of Health Professions (DHP) reports that the Board currently licenses 5,951 dentists and 4,447 dental hygienists. These licensees are all subject to these regulations.

Localities Particularly Affected

No locality will be disproportionately affected by this proposed regulatory action.

Projected Impact on Employment

This regulatory action will likely have no impact on employment in the Commonwealth.

Effects on the Use and Value of Private Property

This regulatory action will likely have no affect on the use or value of private property in the Commonwealth.

Small Businesses: Costs and Other Effects

Small businesses in the Commonwealth are unlikely to incur any costs on account of this regulatory action.

Small Businesses: Alternative Method that Minimizes Adverse Impact

Small businesses in the Commonwealth are unlikely to incur any costs on account of this regulatory action.

Real Estate Development Costs

This regulatory action will likely have no affect on real estate development costs in the Commonwealth.

Legal Mandate

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.H of the Administrative Process Act and Executive Order Number 36 (06). Section 2.2-4007.H requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the

regulation, and the impact on the use and value of private property. Further, if the proposed regulation has adverse effect on small businesses, Section 2.2-4007.H requires that such economic impact analyses include (i) an identification and estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the regulation. The analysis presented above represents DPB's best estimate of these economic impacts.